

I. Project Title: Management of easements acquired for the Recovery Program

II. Principal Investigator:

Dan Alonso, Project Leader, Ouray NWR/CRWMA
HC 69 Box 232
Randlett, Ut. 84063
dan_alonso@fws.gov
(435) 545-2522 x 222
(435) 545-2369 Fax

III. Project Summary:

The Colorado River Wildlife Management Area (CRWMA) was established in July 1998. It is recognized as one of the 546 Refuges in the National Wildlife Refuge System. Easements and fee title parcels are located in both Utah and Colorado along the Green, Gunnison, and Colorado Rivers.

The primary purpose of the CRWMA is to protect and restore backwater floodplain habitat for the endangered razorback sucker, Colorado pikeminnow, humpback chub, and bonytail. The type of habitat to be restored is flooded bottomland that is directly connected to the rivers during seasonal flooding. These shallow wetlands provide food, shelter, and resting areas for the fish.

The refuge serves to protect and restore the riparian ecosystem. Riparian areas in the upper Colorado River basin have been severely altered by reduced water flows, development, and gravel mining. These shallow wetlands play a significant role in maintaining both the terrestrial and aquatic values of the ecosystem.

The areas are held primarily as conservation easements and limited fee title ownership with willing landowners, who agree to allow management and protection activities by refuge officials. Public use is not permitted as the right to access the property is retained by the landowner. The easement rights are limited only to those necessary to protect and restore habitat for the endangered fishes in order to reduce impacts on private property rights and local communities. Management activities are limited to manipulation or removal of dikes or levees to induce or improve flooding, biological studies or surveys, control of nonnative vegetation, and easement monitoring and enforcement.

The goal of the CRWMA is to monitor and manage easements and fee title lands acquired by the Recovery Program for the purpose of supporting and sustaining recovery of the endangered fishes. The objectives are to restore, enhance, and/or protect floodplain habitats to benefit endangered fishes while maintaining positive relationships with CRWMA landowners.

There are currently 15 easements and one fee title parcel totaling 1332 acres which have been purchased and transferred to the U.S. Fish and Wildlife Service. Two new easements were added in 2004, Thunder Ranch (455.1 acres) and Ron Tipping (23.4 acres). New acquisitions of easements and fee title parcels have been halted with only one or two exceptions.

IV. Study Schedule:

Initial year: 1998

Final year: No final year

All easements are monitored aerially and/or from the ground for compliance on an annual basis during the spring and/or fall. The objective is to detect all activities which may constitute a violation of the terms of the easement. Possible violations include alterations in floodplain topography or hydrology resulting from earth-moving, excavation, filling/dumping, construction, and tampering with flood-control features.

If violations are suspected as a result of the routine monitoring the matter will be investigated and documented in detail. If a violation is confirmed, the responsible landowner will be contacted and given the opportunity to correct the matter. If the matter can not be corrected and/or the landowner refuses to comply a violation notice will be issued.

V. Relationship to RIPRAP:

GREEN RIVER ACTION PLAN: MAINSTEM

II. Restore habitat

II.A. Restore and manage flooded bottomland habitat.

COLORADO RIVER ACTION PLAN: MAINSTEM

II. Restore habitat

II.A. Restore and manage flooded bottomland habitat.

COLORADO RIVER ACTION PLAN: GUNNISON RIVER

II. Restore habitat

II.A. Restore and manage flooded bottomland habitat.

Easements are located within priority geographic areas which include the Green River floodplain between Pariette Draw (RM 238) and Dinosaur National Monument (RM 318); the Gunnison River floodplain between Escalante SWA (RM 50) and the North Fork (RM 75) and the Whitewater area; and the Colorado River floodplain between Westwater (RM 127) and Rifle (RM 240).

VI. Accomplishment of FY 2005 Tasks and Deliverables, Discussion of Initial Findings and Shortcomings:

1. All easements and the one fee title parcel were monitored in 2005 and no violations were detected.
2. All landowners were contacted in person or by telephone.
3. Refuge staff attended numerous meetings with landowners, oil and gas companies and contract engineers on design and proposed construction activities on several easements.
4. Three Special Use Permits were issued in 2005 to Mr. Karl Lamb of the Rex and LaRue Lamb Trust for water, oil and gas exploration. The Refuge has urged the various oil and gas companies to pursue the least impacting techniques and methods. All individuals involved have been very compliant with our requests.
5. The Refuge Operation Specialist (GS-9) position dedicated to the CRWMA became vacant in 2002 and due to insufficient funds to cover a PCS move, the limited number of easements in place, and the instituted easement moratorium, the Ouray/CRWMA Project Leader decided not to refill the position and administer the CRWMA needs with Ouray NWR staff. Ouray NWR staff time, travel, and associated expenditures spent on the CRWMA are closely documented and charged to the funds allocated by the Recovery Program for the CRWMA. The salary savings from not filling the dedicated position will be used to cover salaries of Ouray Refuge staff used in managing the easements.
6. A considerable amount and time and effort has been invested in the Thunder Ranch easement as it pertains to the failure of a newly constructed protective levee. An agreement was reached between the Bureau of Reclamation, Thunder Ranch and USFWS to rebuild the failed levee at a cost of \$300,000 paid by the Bureau. The Ranch continues to seek monetary compensation for alleged flood damage caused by the failed levee. The Ranch will present its case before the Management Committee in November.
7. Several other easements have changed ownership and/or are experiencing potentially threatening development on adjacent lands. These types of activity have required Refuge staff review and communication with developers and new landowners.
8. As of November 2005 a total of 1332 acres (16 properties) have been transferred to the Service from the Bureau of Reclamation. A moratorium on the acquisition of any additional easements was instituted by the Management Committee, with very few exceptions. No easements were acquired or transferred in 2005.

VII. Recommendations:

1. There are numerous properties within the acquisition zone on the Green River which have changed ownership and are worth pursuing. Refuge staff believes that every effort must be made to acquire as many easements as possible. Easement acquisition has fallen grossly short of the original goal of 10,000 acres. It is inconceivable to believe that recovery of the endangered Colorado River fishes can be achieved without preserving adequate habitat.
2. A thorough evaluation of the Colorado River Wildlife Management Area should be conducted to evaluate its value to the fish and designation as a National Wildlife Refuge. The limited acreage acquired does not afford the habitat necessary to self sustain a viable population of endangered Colorado River fishes and the level of protection and administration afforded by the Refuge System is difficult to justify for this limited acreage.
3. All 16 parcels of the CRWMA are heavily invaded by invasive weed species. Additional funding is needed to address this increasing concern. It is hoped that future funding can be secured for this and other habitat improvement projects which will restore ecosystem integrity and fish utilization.
4. The CRWMA does not have dedicated equipment, vehicles or facilities. The Management Areas needs are provided for by the Ouray NWR. Provided funds will be used to help defray these costs.

VIII. Project Status:

Easement management is on going. Easement acquisition on the other hand has, for the most part, been halted. Funding needed for effective management and habitat enhancement of the easements exceeds the current annual budget allotment. These funds do not fully cover the salary, benefits, travel, training, fuel, vehicle maintenance, aerial monitoring, equipment and supplies to properly manage the easements.

IX. FY 2005 Budget Status:

- A. Funds Provided in 2005: \$0 (FY 04 Balance forwarded \$106,432)
- B. Funds Expended: \$39,299 (Travel and salary)
Available funds were not spent in an attempt to amass the necessary funds to cover the costs associated with a PCS move and salary for the allotted easement management position. This allotted position will not be filled and the available funds will now be used to administer the program in its entirety at no expense to the Ouray NWR.
- C. Difference: \$66,951
- D. Percent of the FY 2005 work completed, and projected costs to complete: 75%, \$68K.
- E. Recovery Program funds spent for publication charges: N/A

X. Status of Data Submission: N/A

XI. Signed Dan Alonso, Project Leader, Ouray/CRWMA 11/22/05
Principal Investigator Date